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ROLL CALL Present: Council Members - Hinchman (arrived 8:20 p.m.), Olson, Reid, Pinkerton, and Snider (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney McNatt, and City Clerk Reimche

INVOCATION The invocation was given by Pastor Jim Berner, Redeemer Lutheran Church.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mayor Snider.

PRESENTATIONS

PROCLAMATIONS

CC-37 Mayor Snider presented a Proclamation for "Recreation Month" to Marilyn Field, Recreation Superintendent.

CONSENT CALENDAR In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Reid, Pinkerton second, approved the following items hereinafter set forth with the following exceptions:

a) Agenda item E-3, "Plans and specifications and advertisement for bids for Lockeford Street Overlay, Southern Pacific Railroad to Cherokee Lane" was removed from the agenda.

b) Agenda item E-12, "Agreement with City Cab Company for purchased taxi rides" was removed from the Consent Calendar and discussed and acted upon at a later point on the agenda.

* * * * *

CLAIMS CC-21(a) Claims were approved in the amount of \$2,774,579.51.

MINUTES The Minutes of June 6, 1990, June 20, 1990, and June 27, 1990 (Adjourned Regular Meeting) were approved as written.

Continued July 11, 1990

ITEMS REMOVED FROM AGENDA

Agenda item E-3, "Plans and specifications and advertisement for bids for Lockeford Street Overlay, Southern Pacific Railroad to Cherokee Lane" was removed from the agenda.

SPECIFICATIONS FOR PURCHASE OF WATTHOUR METERS APPROVED

CC-12.1(b) The City Council approved the specifications and authorized
CC-20 the advertisement for bids for the purchase of 672 watthour
CC-47 meters.

The Electric Utility Department has requested that 672 single-phase watthour meters be purchased to maintain an inventory for installation of meters at new developments, and for replacement of obsolete and deteriorated meters located during meter testing.

The estimated cost of this purchase is \$22,500, with funding available in the Electric Utility Department's operating fund.

The bid opening has been scheduled for Tuesday, July 31, 1990.

SPECIFICATIONS AND ADVERTISEMENT FOR BIDS FOR TYPE II SLURRY SEAL FOR VARIOUS CITY STREETS, 1990 APPROVED

CC-12.1(c) The City Council approved the specifications for type II slurry seal for various City streets, 1990, and authorized advertising for bids to be received Wednesday, July 25, 1990.

Slurry sealing of City streets is done annually by contract. Funds to accomplish the project are included in the 1990-91 Operating Budget.

Quantity: Streets 961,225 square feet.

ACCEPTANCE OF IMPROVEMENTS UNDER BLAKELY PARK POOL STORAGE FACILITY, 1050 SOUTH STOCKTON STREET, CONTRACT

CC-90 The City Council accepted the improvements under the "Blakely Park Pool Storage Facility, 1050 South Stockton Street" contract, and directed the Public Works Director to

file a Notice of Completion with the County Recorder's office.

The City Council was apprised that the contract was awarded to Scrimsher and Mineni Construction of Escalon on February 7, 1990 in the amount of \$20,137.00. The contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

The contract completion date was May 21, 1990 and the project was completed on time. The final contract price was \$20,137.00.

PURCHASE OF USED VEHICLES
FROM RENTAL AGENCIES OR FLEET
DEALERS FOR VEHICLES APPROVED
IN THE 1990-91 BUDGET

RES. NO. 90-105

CC-20
CC-47
CC-300

The City Council approved the purchase of used vehicles from rental agencies or fleet dealers for vehicles approved in the 1990-91 Budget.

Ordinance No. 1399, adopted June 17, 1987, amended Lodi Municipal Code, Section 3.20.070 relating to bidding. The amendment states that bidding can be dispensed with when the City Council determines that the purchase or method of purchase would be in the best interest of the City of Lodi. The primary reasons for purchasing under this program are:

1. Lower initial cost;
2. Shorter lead time for delivery;
3. Vehicles purchased have maintenance and repair records available for review;
4. Higher resale value due to greater number of options available;
5. Twelve months/12,000 mile warranty written by the agency.

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KETTLEMAN PROPERTIES REORGANIZATION,
INCLUDING ANNEXATION TO THE CITY OF LODI
AND DETACHMENT FROM THE WOODBRIDGE RURAL
FIRE PROTECTION DISTRICT (NORTHEAST
CORNER OF BECKMAN ROAD AND EAST KETTLEMAN LANE)

RES. NO. 90-106

CC-8(a)
CC-300

The City Council adopted Resolution No. 90-106 approving the Kettleman Properties Reorganization which annexes an approximate 52.7 acres at the northeast corner of Beckman Road and East Kettleman Lane to the City and withdraws the area from the Woodbridge Rural Fire Protection District.

The City Council was advised that it had upon the recommendation of the Planning Commission, previously certified an E.I.R. for the project and amended the General Plan and rezoned the area.

The owners have signed the necessary agreement concerning City utility services and the payment of future municipal impact fees.

Kettleman Properties conforms to the Annexation Policy adopted by the City Council earlier this year.

"NO PARKING" AT 2505 WEST
TURNER ROAD - WINE AND ROSES
COUNTRY INN

RES. NO. 90-107

CC-48(e)
CC-300

The City Council approved the installation of "No Parking" on the north side of Turner Road from Lower Sacramento Road/Woodhaven Lane to the west city limits.

Earlier this year, the Public Works Department received a request from the owner of Wine and Roses Country Inn that vehicles parked adjacent to their driveway were creating a sight problem. The vision of drivers exiting onto Turner Road is obstructed by parked trucks and vehicles. Staff has verified these trucks are parked legally according to our Lodi Municipal Code Section 10.52.050.

Available accident records indicate there have been no accidents at this location from 1987 to the present. The volume on this segment of Turner Road is 4,800 vehicles per day and the posted speed limit is 40 mph.

In the future when Turner Road is widened, it will be necessary to install "No Parking" to provide turn pockets and through lanes. Since "No Parking" will eventually be needed and the request has been made by the owner, staff has no objection to installing 161.5 feet of "No Parking"

at this time. Additional "No Parking" to the west and on the south side of Turner Road will be required as the area develops.

BECKMAN SCHOOL (2201
SCARBOROUGH DRIVE) AREA
STUDY FOR INTERSECTION CONTROLS

RES. NO. 90-110

CC-48(a) The City Council adopted Resolution No. 90-110 amending
CC-43 Traffic Resolution No. 87-163 thereby approving
CC-300 intersection controls for the Beckman School area as
recommended by Staff.

The opening date for Beckman Elementary School is the beginning of September. However, the Beckman School site will be used as a bus drop-off in the afternoons starting July 2. For approximately two months, Beckman School students will be attending both Needham and Nichols Schools. The buses will pick up students in their neighborhoods in the morning and drop off students at the Beckman School site in the afternoon. School administrators indicate that the tight bus schedule won't allow bus drivers to drop off students in their neighborhoods at the end of the school day. In this interim period, the School District will fund adult crossing guards at Hutchins Street and Century Boulevard, Scarborough Drive and Century Boulevard, and Ham Lane and Century Boulevard. The Police Department has been notified to provide additional enforcement in the area during this interim period.

To provide orderly pedestrian movement and to identify the school zone, staff recommends various intersection controls be installed. The anticipated volume on Wimbledon Drive will be approximately 2,000 vehicles per day. The characteristics of Wimbledon Drive are similar to the City's "through" streets. The minor streets intersecting the through street are controlled by stop signs. For this reason, stop signs are recommended on both Scarborough Drive and Winchester Drive at Wimbledon Drive. A yield sign is recommended on Dorchester Way at Scarborough Drive in order to establish right-of-way control. This crossing is adjacent to the school grounds and we anticipate that a large number of students will be crossing at this location. These proposed intersection controls are shown on an exhibit presented for Council review. The school crossings and signing will be installed following State of California guidelines (Caltrans) and do not need Council approval.

Staff requested that Council approve the intersection controls as described.

Staff will be monitoring the area after Beckman School officially opens to determine if additional controls or school markings are necessary.

ARCHITECTURAL AGREEMENT
FOR MUNICIPAL SERVICE CENTER
MAINTENANCE GARAGE RENOVATION
AND WASH DOWN BUILDING CONSTRUCTION,
1331 SOUTH HAM LANE

CC-90

The City Council approved the architectural agreement with Morris and Wenell Architects and Planners and authorized the City Manager and City Clerk to execute the agreement.

The existing maintenance and repair garage is a 5,000 square foot facility that includes a wash down bay at its south end. Built in 1971, it has not gone through any significant remodel to date although the number of vehicles and pieces of equipment have increased from approximately 100 to about 340.

The existing facility is limited in repair, parts storage, and office space. The existing welding area is inadequate and work space cramped. As the fleet and staffing requirements continue to grow, the garage must be remodeled.

The renovation planned includes alteration of the current wash down bay to a maintenance bay and new welding room, new parts mezzanine, remodeled parts storage, new mezzanine office, including extending the I-beam hoist. An approximately 900 square foot new wash down building will be located east of the warehouse/purchasing facility.

A proposal from Morris and Wenell in the amount of \$20,537.00 was presented to Council for preparing plans and specifications for this work. Morris and Wenell is familiar with the Municipal Service Center complex and previously designed portions of the facilities at that site. This has been budgeted for in the 17.1 (Sewer) and 18.1 (Water) funds.

RESOLUTION APPROVING THE
FORMATION AND MEMBERSHIP
OF THE INTEGRATED WASTE
MANAGEMENT PLAN TASK FORCE
TO ASSIST LOCAL GOVERNMENTS
IN PREPARING AND IMPLEMENTING
THE INTEGRATED WASTE MANAGEMENT PLAN

RES. NO. 90-108

CC-6
CC-54

The City Council adopted Resolution No. 90-108, approving the formation and membership of the Integrated Waste

CC-300 Management Plan Task Force to assist local governments in preparing and implementing the Integrated Waste Management Plan.

Presented for Council's review was a copy of a letter to the City Manager from the County of San Joaquin's Solid Waste Manager which explains the requirement that the task force composition be approved by a majority of the cities representing a majority of the population in the County. The composition of the task force was set forth in a sample resolution presented for the City Council's review.

Mayor Pro Tempore Hinchman is the City of Lodi's representative.

ACCEPTANCE OF REMOVAL OF
HOUSE/GARAGE AT 12001 NORTH
THORNTON ROAD, LODI

CC-90 The City Council accepted the removal of the house/garage at 12001 North Thornton Road and directed the Public Works Director to file a Notice of Completion with the County Recorder's office.

The contract was awarded to SUDA, Inc./Delmer Almer of Lodi on March 21, 1990 in the amount of \$2,657.84 which was paid to the City for the purchase of the house. The contract has been completed in substantial conformance with the specifications approved by the City Council.

The contract completion date was June 28, 1990, and the actual completion date was July 3, 1990. The City issued a change order to the contractor in the amount of \$1,130.00 for the removal of the septic system.

COMMENTS BY CITY
COUNCIL MEMBERS

The following comments were received under the "Comments by City Council Members" segment of the agenda:

REVIEW REQUESTED OF 4th OF
JULY ACTIVITIES AT LODI LAKE PARK

Council Member Olson indicated that based on telephone calls she had received, she feels that the Parks and Recreation Commission needs to critique this years 4th of July activities held at Lodi Lake Park.

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BOYS AND GIRLS CLUB
ROCK AND ROLL BENEFIT CONCERT

Council Member Olson announced that the Boys and Girls Club will be holding a benefit Rock and Roll Concert on July 28, 1990.

"LODI DAY AT CANDLESTICK PARK"

Mayor Snider announced that "Lodi Day at Candlestick Park" will be held this year on August 4, 1990.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

REPORT BY LODI CLEAN
AIR COALITION

CC-24(b)
CC-149

Dr. Phillip Ross reported on the recent meeting of the Lodi Clean Air Coalition and asked questions about the status of Ordinance No. 1488, entitled, "An Ordinance of the Lodi City Council Regulating or Prohibiting Smoking in Certain Public Places and in Places of Employment". Further, Dr. Ross asked questions regarding the referendum process.

PUBLIC HEARINGS

Notice thereof having been published according to law, affidavits of which publication is on file in the office of the City Clerk, Mayor Snider called for the Public Hearings to consider:

- a) The Planning Commission's recommendation to amend the Land Use Element of the Lodi General Plan by redesignating 1930 Holly Drive from Commercial to Medium Density Residential
- b) The Planning Commission's recommendation to rezone 1930 Holly Drive from C-1, Neighborhood Commercial to R-MD, Medium Density Multiple Family Residential; and
- c) The Planning Commission's recommendation to certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above projects

GENERAL PLAN AMENDMENT, REZONING
AND CERTIFICATION OF NEGATIVE
DECLARATION FOR 1930 HOLLY DRIVE

ORD. NOS. 1492 AND 1493 INTRODUCED

CC-53(a)
CC-149

Community Development Director Schroeder advised the City Council that 930 Holly Drive (corner of Holly Drive and North Mills Avenue) was the site of a Quik Stop Market which was destroyed by fire. Previously to the fire the City Council and Planning Commission received numerous complaints from surrounding residential uses concerning noise, litter and hours of operation.

Earlier this year Baumbach and Piazza, Consulting Engineers, representing the new owner of the property, Allan Askew, processed a Tentative Parcel Map through the Planning Commission. The Parcel Map created two lots, the interior lot for a single family or duplex and the corner lot for a triplex or four-plex. The residential uses could be accommodated under the existing C-1 zoning. However, the Planning Commission viewed this as an opportunity to rid the area of a commercial spot zone and to insure that the previous problems caused by the Quik Stop Market could not return.

The R-MD zoning as recommended by the Planning Commission conforms to the zoning of the five lots directly south of 1930 Holly Drive. Each of these lots contains a four-plex.

The zoning to the east and north is R-2, Single-Family, and to the west is General Mills.

Speaking in support of the matter was Florence Hensley, 1931 Holly Drive, Lodi.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

On motion of Council Member Pinkerton, Olson second, the City Council certified the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation.

Further, on motion of Council Member Pinkerton, Reid second, the City Council introduced Ordinance No. 1492 amending the Land Use Element of the Lodi General Plan by redesignating 1930 Holly Drive from Commercial to Medium Density Residential.

The motion carried by the following vote:

Ayes: Council Members - Olson, Pinkerton, Reid, and Snider

Noes: Council Members - None

Absent: Council Members - Hinchman

Abstain: Council Members - None

Further, on motion of Council Member Reid, Olson second, the City Council introduced Ordinance No. 1493 rezoning 1930 Holly Drive from C-1, Neighborhood Commercial, to R-MD, Medium Density Multiple Family Residential.

The motion carried by the following vote:

Ayes: Council Members - Olson, Pinkerton Reid, and Snider

Noes: Council Members - None

Absent: Council Members - Hinchman

Abstain: Council Members - None

SECTION 17.57.160 OF THE
LODI MUNICIPAL CODE CONCERNING
ACCESSORY BUILDINGS AMENDED

ORD. NO. 1494 INTRODUCED

CC-53(a)
CC-149

Notice thereof having published according to law, an affidavit of publication being on file in the City Clerk's Office, Mayor Snider called for the public hearing to consider the Planning Commission's recommendation that Section 17.57.160 of the Lodi Municipal Code concerning Accessory Buildings be amended to include the following:

"Detached accessory buildings shall have a maximum size of 120 square feet. The overall height of the building shall not exceed eight (8) feet and the eave height shall not exceed seven (7) feet. No accessory building shall be closer than six (6) feet to any main building or closer than three (3) feet to any side or rear property line."

Community Development Director Schroeder introduced the matter advising that on February 5, 1990 Gary G. Greider corresponded with Mayor Snider and asked that Section 17.57.160 be amended to eliminate the possibility of incorporating an accessory building as part of an existing perimeter fence.

The Planning Commission reviewed Mr. Greider's problem and was concerned that it should not happen again. The Commission's recommendation is based on Building Code and Zoning requirements and addresses structures that do not need permits. All other accessory structures, which need Building Permits, will conform to the zoning criteria for setback, height, size and location.

There being no persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

On motion of Council Member Reid, Olson second, the City Council introduced Ordinance No. 1494, entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Section 17.57.160 - Accessory Buildings". The motion carried by unanimous vote of the City Council Members present.

CITY OF LODI BUILDING
APPEAL BOARD CONVENES

At approximately 7:55 p.m., Mayor Snider adjourned the City Council meeting to a meeting of the City of Lodi Building Appeal Board.

CONSIDERATION OF REQUEST
OF JOSE R. TAPIA AND
EVA P. TAPIA FOR A CROSS OVER
AGREEMENT BETWEEN ADJOINING
LANDOWNERS OF 125 AND 127 NORTH
SACRAMENTO STREET

CC-6
CC-14(a)
CC-53(b)

Community Development Director Schroeder presented the following report regarding the matter.

The 1988 Uniform Building Code, Section 504(b) and City of Lodi Ordinance No. 1476 A does not allow doors in fire resistive walls which are located within five feet of the property line.

The appeals board may approve alternate methods of code compliance, provided it finds the method offered is at least equivalent to that prescribed by the code.

The Building Inspection Division would issue building permit to cut door openings in the firewalls of adjoining properties provided the applicant completed the following steps:

- A. Record a cross-over agreement between adjoining landowners with the San Joaquin County Recorder's Office;

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- B. Secure the approval of the Building Appeals Board;
- C. Install two, three-hour fire resistive doors--one on each side of the common property line; and
- D. Provide plans of proposed construction. Plans must be prepared by a licensed architect or engineer.

Note: This method was used at the J. C. Penney store to accommodate the catalog sales office in the adjoining property.

Mrs. Maria Elena Morales addressed the City Council regarding the matter indicating that Mr. Jose R. Tapia, owner of the property located at 125 North Sacramento Street known as the Mazatlan Cafe had given his written consent and authorization to Antonio Morales, Sr. and Maria Elena Morales to remodel the property at 125 North Sacramento Street, Lodi and to create an opening through the north wall for a passage-way into private property located at 127 1/2 North Sacramento whose owner had granted permission to open the south wall of that building to create the same opening, going from one building into another.

Mrs. Morales further stated that upon termination of the lease agreement between both parties (Tapia and Morales), the wall is to be reconstructed back to its present construction.

Discussion followed with questions being directed to Mrs. Morales and to staff

On motion of Council Member Olson, Reid second, the City Council granted the subject appeal contingent on the execution and recordation of the amended Cross Over Agreement Between Adjoining Landowners - June Margaret Bush and Jose R. Tapia and Eva P. Tapia.

The City Council reconvened at approximately 8:05 p.m.

PLANNING COMMISSION City Manager Peterson presented the following Planning
REPORT Commission Report of the Planning Commission Meeting of
June 25, 1990:

OF INTEREST TO THE CITY COUNCIL

CC-35 The Planning Commission -

- 1. Conditionally approved the request of Terry Piazza, c/o Baumbach and Piazza, Consulting Engineers, on behalf of Don

Carpenter for a Tentative Parcel Map to create two lots from one lot at 1904 South Church Street in an area zoned R-MD, Medium Density Multiple Family Residential.

2. Conditionally approved the request of Dansa, Inc. for a Use Permit for a temporary office trailer for a construction company at 923 East Industrial Way in an area zoned M-2, Heavy Industrial.
3. Determined a Zoning Hardship existed and approved the request of Curtis Jensen for a Zoning Variance to reduce the sideyard setback requirement from 5 feet to 2 feet 3 inches to permit an addition which will attach an existing dwelling to an existing garage at 601 Alicante Drive in an area zoned R-2, Single-Family Residential.
4. Elected Commissioner James Griffith, Chairman and Commissioner Susan Hitchcock-Akin, Vice Chairman for the 1990-91 Fiscal Year.
5. Referred a letter from Loretta J. Churchill regarding a Zoning Hardship at 609 South Sacramento Street to the staff for report.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c)

On motion of Council Member Olson, Reid second, the City Council denied the following claims and referred them back to the City's Contract Administrator:

- a) Andrew Lemmon, Date of loss, 6/10/90
- b) Floyd Ranken, Jr., Date of loss, 3/7/90

ABC LICENSE
APPLICATIONS

CC-7(f)

City Clerk Reimche presented the following Alcoholic Beverage License Application:

- a) Mohammed A. Khan, Shop - Rite, 213 East Pine Street, Lodi, Off Sale Beer and Wine License, Person to Person Transfer.

ITEM REMOVED FROM AGENDA

Agenda item K-3 (a), entitled, "Appointment to Lodi Senior Citizens Commission to fill unexpired term of Shirley Kleim, which term is due to expire December 31, 1991" was removed from the agenda.

Continued July 11, 1990

DIESEL TRUCK AND TRAILER
STREET PARKING POLICY
CONCERNS IN AREA OF WINE AND
ROSES COUNTRY INN

CC-16 The City Council referred to Staff the letter received from
CC-48(a) Del G. Smith, Wine and Roses Country Inn, 2505 West Turner
Road, Lodi regarding Community Development Department
updated (April 1990) diesel truck and trailer street
parking policy.

REGULAR CALENDAR

REVISED SURCHARGE FOR
SOLID WASTE DISPOSAL

URGENCY ORD. NO. 1495 ADOPTED

CC-22(b) The City Council was advised that over the past years, the
CC-54 State has mandated certain charges on users of landfills.
CC-149 The operator of the landfill is billed by the State and the
operator in turn bills the entity taking refuse to the
landfill.

The City's agreement with Sanitary City Disposal is that
the City will reimburse them for the additional costs.

In order to collect this from the user and to account for
the fund, the City has added a surcharge to the bill.

The latest increase is effective July 1, 1990 which amounts
to \$.50 per ton. This translates into .8% or approximately
\$.05 per can on the refuse bill.

Following discussion, on motion of Council Member Olson,
Reid second, the City Council adopted Urgency Ordinance No.
1495 - An Uncodified Urgency Ordinance of the Lodi City
Council Establishing a Surcharge on Refuse Rates to Fund a
State-Mandated Program and County Rate Increase. The
motion carried by the following vote:

Ayes: Council Members - Olson, Pinkerton, Reid, and
Snider

Noes: Council Members - None

Absent: Council Members - Hinchman

Abstain: Council Members - None

SAN JOAQUIN COUNTY SALES
TAX EXPENDITURE PLAN APPROVED

CC-7(n)
CC-28
CC-177

The City Council was advised that the governmental agencies within San Joaquin County are proposing a sales tax ballot measure for the general election in November of this year. It is proposed that the ballot measure will involve a one-half cent increase in the sales tax which would raise approximately \$400 million in San Joaquin County over a 20-year period. The expenditure plan was distributed to the City Council with the Council agenda packet for the regular meeting of June 20, 1990. The City has been advised that a slightly revised plan has been prepared and copies of this amended plan will be distributed to the City Council as soon as they are received. The plan presents how the money would be allocated and the major projects that are proposed for construction or that are eligible if the sales tax measure passes.

Mr. Andrew Chesley of the San Joaquin County Council of Governments (COG) addressed the City Council regarding the matter and responded to questions as were posed by the Council.

Council Member Olson abstained from voting on the matter, because of a possible conflict of interest.

Following discussion, on motion of Council Member Reid, Hinchman second, the City Council approved the proposed San Joaquin County Local Transportation/Air Quality Improvement Plan by the following vote:

Ayes: Council Members - Hinchman, Pinkerton, Reid and Snider (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - Olson

RECESS

Mayor Snider declared a five-minutes recess and the City Council reconvened at approximately 9:05 p.m.

POLICY REGARDING EMPLOYMENT
OF RELATIVES ADOPTED

RES. NO. 90-109

CC-34
CC-300

The City Council was advised that in 1985 the City adopted a policy prohibiting the appointment and promotion of certain individuals within the City service. In reviewing

the application of that resolution we find that in some cases it may be too restrictive and in other cases it does not go far enough.

The present resolution restricts appointment or promotion of employees in the personnel office and in the City Manager's office. This restricts relatives of clerical positions in those departments from working for the City regardless of how well qualified they are.

The present resolution is silent in regards to appointment of relatives of the City Council, Department Heads within their department or Advisory Board members within their department.

Staff recommended changes in both of those areas and the elimination of prohibiting promotions. Staff did not propose any changes to the prohibition of appointment or promotion where supervision, safety, security, or morale is at stake.

Personnel Director Joanne Narloch addressed the City Council regarding the matter and responded to questions as were posed.

Following discussion, on motion of Council Member Olson, Hinchman second, the City Council adopted Resolution No. 90-109, entitled, "Resolution Establishing a Policy In Regard to Employment of Relatives Within the City of Lodi Classified Service and Thereby Rescinding Resolution No. 85-07 Pertaining Thereto".

ITEM REMOVED FROM AGENDA

Agenda item L-4, entitled, "Second phase investigation of potential power supply options for the future" was removed from the agenda.

EXTENSION OF EXISTING MORATORIUM ON SECOND RESIDENTIAL UNITS IN THE EAST SIDE REZONING AREA

CC-53(a)

The City Council was advised that at the June 20, 1990 Council meeting, an urgency ordinance was adopted by the Council, imposing a moratorium on second residential units ("granny units") in the east side rezoning area. This was deemed necessary based on the inadequacy of certain City facilities available in this area.

This ordinance is valid for a period of 45 days from its adoption. Under Government Code §65858(b), it is necessary that not later than 10 days prior to the expiration of this 45-day period, that the Council adopt or issue a report

describing the steps which have been taken or are to be taken to deal with the situation. That has been prepared by Public Works and a copy of the document was presented for Council review.

An extension of 10 months and 15 days now appears adequate for the purpose of drafting and implementing a plan to ensure that adequate water and sewer facilities are available for those properties in the east side area upon which "granny units" might be placed.

It was therefore recommended that the Council extend the ordinance for 10 months and 15 days, and adopt the subject report.

Following discussion with questions being directed to staff, on motion of Council Member Reid, Hinchman second, the City Council extended the existing moratorium on second residential units in the east side rezoning area for a period of 10 months and 15 days and adopted a report describing measures taken to alleviate the situation which lead to the moratorium.

PLANS AND SPECIFICATIONS
AND ADVERTISEMENT FOR BIDS
FOR PARKING LOT #5 ASPHALT
OVERLAY APPROVED

CC-12.1(c)

The City Council was advised that the Parking Lot #5 Asphalt Overlay, northeast corner of Elm Street and Church Street project consists of furnishing and installing asphalt concrete overlay including leveling course, pavement grinding, and pavement reinforcing fabric. If needed, an appropriation of additional funds will be requested at the time of award. The project requires more repair than included in the original estimate which is now three years old.

Also, the specifications do not call for the work to be done on a weekend. Doing the work on a weekend would add roughly \$6,000 to the cost and it is questionable if all the work could be accomplished in two days. Thus, staff feels the additional expense is not justified.

On motion of Council Member Reid, Hinchman second, the City Council approved the plans and specifications for Parking Lot #5 Asphalt Overlay, northeast corner of Elm Street and Church Street project and authorized the advertisement for bids.

AGREEMENT WITH CITY CAB
COMPANY FOR PURCHASED TAXI
RIDES APPROVED

CC-22(a) The City Council was advised that City Cab Company notified
CC-33 the City of Lodi of its intent to discontinue cab service
CC-90 during the night due to lack of ridership.

The staff and City Council agree that a City needs some sort of transportation 24-hours per day. Council asked staff to work something out with City Cab Company to assure their continued operation.

City Cab Company indicated it needs approximately \$35,000 in additional revenue per year to continue operations. The City Council on May 31 approved payment of \$1.50 for each ride after Dial-A-Ride concludes its regular operations each day.

The City Council, on motion of Council Member Pinkerton, Olson second, authorized the execution of an agreement between the City of Lodi and City Cab Company providing for the partial payment for taxi cab rides originating within the City of Lodi effective May 31, 1990.

ITEM ADDED TO AGENDA

Pursuant to State Statute, the City Council, on motion of Mayor Pro Tempore Hinchman, Reid second, determined that after the agenda had been printed and circulated, it became known that a matter of urgency needed to be added to the agenda.

On motion of Mayor Pro Tempore Hinchman, Reid second, the City Council added the following item under the "Adjournment to Closed Session" segment of the agenda:

c) City of Lodi vs Diekman, et al

CLOSED SESSION

At approximately 9:30 p.m., the City Council adjourned to Closed Session regarding the following matters:

CC-200(b) a) Personnel Matters
CC-200(d) b) Litigation - Davenport vs City of Lodi
CC-200(d) c) City of Lodi vs Diekman, et al

The City Council reconvened at approximately 9:55 p.m.

CITY V. DIEKMAN

CC-27(f)
CC-30

On motion of Council Member Reid, Olson second, the City Council approved settlement of the City v. Diekman, et al eminent domain litigation on the following terms:

1. Total compensation to be \$340,000, comprised of \$280,350 already received by the owners as probably compensation plus \$59,650.
2. Interest on the differential of \$59,650 at a rate of 10% for the period between April 9, 1990 and final settlement.
3. City will cooperate in annexation of the Diekmans' remainder parcel, in the extension of Thurman Road, and in the rezoning and General Plan amendment to an industrial designation for the remainder parcel.

ITEMS REMOVED FROM AGENDA


The following items were removed from the agenda:

- a) Agenda item N-7, entitled, "Consider resolution establishing amended salaries for City of Lodi City Council appointees"
- b) Agenda item N-8, entitled, "Consider resolution establishing amended salary ranges for various City of Lodi management employees"
- c) Agenda item N-9, entitled, "Consider resolution establishing amended salary ranges for various City of Lodi mid-management employees:

ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at approximately 10:05 p.m.

ATTEST:


Alice M. Reimche
City Clerk